

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claims 1-32 were pending at the time of the outstanding Office Action. Of these claims, claims 1-4, 14, 19, 21, 28-30 and 32 are currently being amended, and claims 5-8, 15-18, 20, 22, 23, 25-27 and 31 are cancelled. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-4, 9-14, 19, 21, 24, 28-30 and 32 are now pending in this application.

Objection to the Specification:

The Office Action Summary sheet indicates that the specification has been objected to. However, there is no corresponding objection in the body of the Office Action. Thus, clarification regarding this objection is respectfully requested.

Claim Objections:

Claim 12 is objected to because of allegedly failing to further limit the subject matter of a previous claim. However, claim 12 does indeed limit the subject matter of a previous claim, by stating that the “vacuum processing apparatus is a reduced-pressure processing apparatus.” The specification of the application clearly states that:

“This invention relates to a reduced-pressure processing apparatus, a vapor deposition apparatus, and so on and, in particular, relates to a reduced-pressure processing apparatus and a vapor deposition apparatus in which contamination such as organic matter is reduced. Hereinafter, **an apparatus that carries out treatment at a pressure lower than the atmospheric pressure** like the reduced-pressure processing apparatus or the vapor deposition apparatus **will be collectively called a vacuum processing apparatus in this specification.**” (page 1, lines 6-14 of the specification as filed; emphasis added)

As Applicant is allowed to be his or her own lexicographer (MPEP 2111.01, Section IV), it is clear that Applicant defines a vacuum processing apparatus to be any “apparatus that carries out treatment at a pressure lower than the atmospheric pressure,” with the example of a reduced-pressure processing apparatus explicitly given in the specification. Thus, since a reduced-pressure processing apparatus is a type of vacuum processing apparatus according to the specification of the invention, it is clear that claim 12 does in fact further limit claim 1, by limiting the vacuum processing apparatus to a specific type of such an apparatus. Thus, reconsideration and withdrawal of this objection is respectfully requested.

Claim Rejections under 35 U.S.C. 112:

Claims 4, 7, 8, 18 and 30-32 are rejected under 35 U.S.C. 112, second paragraph for allegedly being indefinite.

Claims 7, 8, 18 and 31 have been cancelled; thus, the rejections against those claims are now moot.

With respect to claim 4, the Examiner asserts that there is an issue of antecedent basis concerning the term “organic matter.” The claim has been amended to address this issue. Thus, reconsideration and withdrawal of this rejection is respectfully requested.

With respect to claims 30 and 32, the Examiner asserts that the term “organic matter emission prevention process” is not clear. The claims have been amended to address this issue. Thus, reconsideration and withdrawal of this rejection is respectfully requested.

Prior Art Rejections:

Claims 1, 2, 4-6, 8 and 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by JP2002-310302 to Yoshiro et al. (hereinafter “Yoshiro”). Claims 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshira further in view of JP06-107803 to Hisaharu et al. (hereinafter “Hisaharu”). Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshira further in view of JP09-189290 to Kenichi (hereinafter “Kenichi”). Claims 10 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshira further in view of U.S. Patent 5,863,842 to Ohmi (hereinafter “Ohmi”). Claims 14, 24 and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication 2002/0132047 to Yamazaki et al. (hereinafter “Yamazaki”) in view of U.S. Patent

5,935,395 to Ouellet et al. (hereinafter "Ouellet"). Claims 15-23 and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamazaki and Ouellet, and further in view of Hisaharu. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamazaki and Ouellet, and further in view of Kenichi. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamazaki and Ouellet, and further in view of Ohmi. Applicant respectfully traverses these rejections for at least the reasons given below.

Independent claim 1 has been amended to recite a vacuum processing apparatus with "a door gasket, and a plurality of gaskets for ensuring airtightness of said pressure-reduction container; wherein said door gasket is made of a material with a small emission of organic matter while the gaskets except the door gasket includes a gasket formed by either one of a metal and a ceramic." Independent claim 30 recites an analogous feature. As regards amended independent claims 1 and 30, it is to be noted that gaskets for the vacuum processing apparatus are divided into a door gasket and any other gaskets, both of which are different in frequencies of attach/detach and which are formed by different materials or matters from each other.

Claims 1, 2, 4-6, 8 and 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated Yoshiro. As pointed out by the Examiner, Yoshiro teaches a perfluoroelastomer as a main component of a gasket used in a vacuum processing apparatus. However, no disclosure is made at all in Yoshiro about a vacuum processing apparatus which includes gaskets formed by different materials in consideration of frequencies of attach/detach.

Specifically, Yoshiro never teaches that any other gasket or gaskets than the door gasket should be formed by a different material, such as a metal, a ceramic, from the perfluoroelastomer of the door gasket. This shows that no consideration is made at all in Yoshiro about reducing contamination resulting from the gaskets. According to Yoshiro, all of the gaskets in the vacuum processing system might be formed by perfluoroelastomer. In fact, Yoshiro teaches that the same material could be used "for a semi-conductor transport device, a vacuum housing, or the seal part of semiconductor fabrication machines and equipment." (paragraph 0044, lines 3-4). Thus, there is no distinction made in the materials utilized for a door gasket or for other gaskets in a vacuum-processing apparatus.

As mentioned above, there is no teaching or suggestion in Yoshiro of a vacuum processing apparatus with “a door gasket, and a plurality of gaskets for ensuring airtightness of said pressure-reduction container; wherein said door gasket is made of a material with a small emission of organic matter while the gaskets except the door gasket includes a gasket formed by either one of a metal and a ceramic.” Thus, Yoshiro fails to teach all of the features of the independent claims. If this rejection is maintained, the Examiner is respectfully requested to point out where these features can be found in Yoshiro.

The dependent claims are also patentable for at least the same reasons as the independent claims on which they ultimately depend. In addition, they recite additional patentable features when considered as a whole. As mentioned above, Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

Hisaharu fails to make up for the deficiencies of Yoshiro as detailed above. Hisaharu is directed only to a sealing material of fluororubber for use in a vacuum processing system but is not interested in any other materials than fluororubber. This shows that no consideration is made in Hisaharu also about a combination of gaskets formed by different materials. Thus, Hisaharu also fails to teach a vacuum processing apparatus with “a door gasket, and a plurality of gaskets for ensuring airtightness of said pressure-reduction container; wherein said door gasket is made of a material with a small emission of organic matter while the gaskets except the door gasket includes a gasket formed by either one of a metal and a ceramic.” Thus, if this rejection is maintained, the Examiner is respectfully requested to point out where these features can be found in either Yoshiro or Hisaharu.

Kenichi, Ohmi, Yamazaki and Ouellet also fail to make up for the deficiencies of Yoshiro as detailed above, for many of the same reasons that Yoshiro and Hisaharu fail to teach the features of the instant invention.

Claims 15-23 and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamazaki and Ouellet, and further in view of Hisaharu. There is no teaching or suggestion in either Yamazaki or Ouellet of recite a vacuum processing apparatus with “a door gasket, and a plurality of gaskets for ensuring airtightness of said pressure-reduction container; wherein said door gasket is made of a material with a small emission of organic

matter while the gaskets except the door gasket includes a gasket formed by either one of a metal and a ceramic.” The deficiencies of Hisaharu have already been discussed with respect to these features of the invention as claimed. Thus, if this rejection is maintained, the Examiner is respectfully requested to point out where these features can be found in either Yamazaki, Ouellet or Hisaharu.

Conclusion:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 945-6014
Facsimile: (202) 672-5399

By



George C. Beck
Attorney for Applicant
Registration No. 38,072

Ramya Ananthanarayanan
Agent for Applicant
Registration No. 59,597